

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

202

CRM-M-14926-2020

Date of decision: 10.08.2020

Ramanpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Gurbir Singh Sidhu, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner-Ramanpreet Singh has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.184 dated 13.11.2019 registered under Section 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') at Police Station City 1 Sangur, District Sangrur.

While issuing notice of motion on 12.06.2020, this Court had granted the interim anticipatory bail to the petitioner with direction to join the investigation.

Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioner and learned State Counsel and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner was not named in the FIR and was falsely implicated in the case on the basis of disclosure statement made by co-accused Inderjit Singh @ Ishu. The petitioner was not apprehended on the spot and no recovery was made from him. Co-accused Inderjit Singh @ Ishu was apprehended with

50 tablets of Clovidal-100 SR. Apart from disclosure statement of his co-accused, there is no evidence regarding involvement of the petitioner in the case. The petitioner is not involved in any other case under the NDPS Act. Rigors of Section 31(1)(b) of the NDPS act are not applicable qua the petitioner. The petitioner has joined the investigation. Nothing is to be recovered from him and his custodial interrogation is not required.

On the other hand, learned State Counsel has submitted that the petitioner was the person who as per the disclosure statement of co-accused had supplied alleged contraband. In view of the gravity of accusation, the petitioner does not deserve grant of anticipatory bail.

However, learned State Counsel has acknowledged that in compliance with order dated 12.06.2020 passed by this Court, the petitioner has joined the investigation and submitted that his custodial interrogation is not required for effecting any recovery and also the petitioner is not involved in any other case under the NDPS Act.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 12.06.2020 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

10.08.2020

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**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No